

01-08-02

TRANSMITTAL FOR U.S. PATENT APPLICATION
UNDER 37 CFR § 1.53(b)A
JC951 U.S. PTO 01/04/02
JC952 U.S. PTO 01/04/02

BOX: Patent Application
ASSISTANT COMMISSIONER
OF PATENTS
Washington, DC 20231-9999

Attorney's Docket: 062891.0635
Exp. Mail Cert. EL 926775643 US

Sir:

Transmitted herewith for filing is the original patent application of:

Inventors: Jerzy W. Miernik and Michael E. Humes

For: *System and Method for Upgrading Service Class of a Connection in Wireless Network*

Pursuant to 37 C.F.R. § 1.213(a), Applicants respectfully request that the above-identified patent application not be published under 35 U.S.C. § 122(b). Applicants hereby certify that the invention disclosed in the above-identified application has not been and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

Enclosed are:

- (1) 33 pages of Specification, Claims and Abstract;
- (2) 4 pages of Executed Declaration and Power of Attorney;
- (3) 3 pages of Formal Drawings;
- (4) 3 pages of an Assignment of the invention to Cisco Technology, Inc. and 2 pages of cover sheets in compliance with 37 C.F.R. § 3.28 and § 3.31, including an Assignment recordal fee of \$40.00 pursuant to 37 C.F.R. § 1.21(h);
- (6) 1 page Certificate of Mailing by Express Mail No. EL 926775643 US;
- (7) 1 page Nonpublication Request Under 35 U.S.C. § 122(b)(2)(B)(i); and
- (8) 2 pages of a Transmittal Form with attached patent application filing fee in the amount of \$1,226.00.

FEE CALCULATION					FEE
	Number		Number Extra	Rate	Basic Fee \$ 740.00
Total Claims	33	20	13	X \$18 =	\$ 234.00
Independent Claims	6	3	3	X \$84 =	\$ 252.00
TOTAL FILING FEE =					\$1,226.00

Enclosed is a check in the amount of \$1,226.00 for filing fee. Please charge any additional fees or credit any overpayment to Deposit Account No. 02-0384 of Baker Botts L.L.P.

BAKER BOTTS L.L.P.
Attorneys for Applicants

Terry J. Stalford
Registration No 39,529

Date: January 4, 2002

CORRESPONDENCE ADDRESS:

Barton E. Showalter, Esq.
Baker Botts L.L.P.
2001 Ross Avenue, Suite 600
Dallas, TX 75201-2980
Tel.: 214.953.6509
Fax: 214.661.4509
bart.showalter@bakerbotts.com

ATTORNEY'S DOCKET NO.:
062891.0635

PATENT APPLICATION



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Jerzy W. Miernik, et al.
Date Filed: January 4, 2002
Title: System and Method for Upgrading Service Class of a Connection in a Wireless Network

BOX: Patent Application
Honorable Assistant Commissioner
For Patents
Washington, D.C. 20231

Dear Sir:

CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that the attached Filing Fee Transmittal (2 pages), the Patent Application (33 pages), Formal Drawings (3 pages), a Declaration and Power of Attorney (4 pages), an Assignment Recordation Cover Form (2 pages), an Assignment (3 pages), a Nonpublication Request Form (1 page), a Baker Botts L.L.C. return receipt postcard (1 card) and this Certificate of Mailing are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on this 4th day of January, 2002 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Willie Jiles

Willie Jiles

Express Mail Receipt
No. EL 926775643 US

DAL01:648080.1
062891.0635

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

10/038989
US PRO
01/04/02

**NONPUBLICATION REQUEST
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

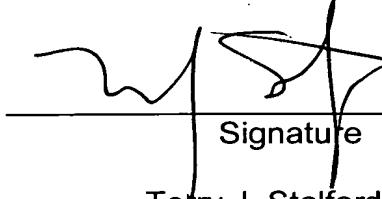
First Named Inventor	Jerzy W. Miernik, et al.	
Title	System and Method for Upgrading Service Class of a Connection in a Wireless Network	
Atty Docket Number	062891.0635	

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

January 4, 2002

Date



Signature

Terry J. Stalford
Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant must notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.